

**UNITED STATES DISTRICT AND BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO**

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CLASS TOUR

and

THE KINGDOM v. JACK SPRIGGINS (Jack and the Beanstalk)

Welcome to the Federal Courts. The class tour is an introduction to the federal courts and offers an insight into how the third branch of government (the Judiciary) operates. In the past, fifth and sixth grade classes have received the most benefit from this program. During the tour, students will be able to participate in a mock trial to better understand the judicial process. Other information which may be taught during the class tour includes:

- < Difference between state and federal courts
- < Explanation of Bankruptcy Court, Civil and Criminal Court
- < Discussion of the jury and grand jury process
- < Appeal process
- < Use of technology by the judiciary
- < How the courts process cases
- < Different agencies in the justice system (U.S. Marshal, Federal Defenders, U.S. Attorney, etc.)

The mock trial portion of the tour is a modern rendition of Jack and the Beanstalk (see attached). The teacher should assign parts to about fifteen students. The remainder of the class will participate as the jury, which is the most important part of the justice system. The teacher may also wish to include court terms as part of the childrens' spelling lesson. The spelling words are underlined in the attached material.

Students are allowed to write their own scripts as long as they do not change the facts, and the jury is allowed to deliberate the fate of Jack as a real jury would in a real trial. The mock trial takes place in one of our courtrooms prior to the actual court tour. The mock trial and tour may take up to two hours, and may include a visit from a judge, depending upon court schedules.

**In the United States District Court
For the District of Idaho
The Kingdom (United States) vs. Jack Spriggins**



STORY AND FACTS: Jack Spriggins and his mom lived alone on a farm and were very poor. One day, Jack's mom (Mrs. Spriggins) asked him to sell their cow so they would have money to eat. On the way to the market, Jack met a young person called Pinto who offered Jack magical beans in exchange for the cow. Jack thought that this would be a good deal but was probably taken advantage of by the smooth-talking Pinto. When Jack arrived home, his mother indicated that he been very foolish and then threw the beans out the window. The next morning (April 1), they looked outside and a beanstalk had grown outside of their bedroom window and extended one thousand feet into the sky. Jack climbed the beanstalk and saw a huge house with a very large door and knocked on the door. A kindly women (Mrs. Bigg) answered the door and Jack asked if the nice lady could feed him. Mrs. Bigg prepared a fine meal for Jack. At that time, a very large Giant (Mr. Bigg) was coming home and said "Fee, fi, fo, fum, I smell the presence of a fine young man, I'll take him, shake him, until he's flat, and grind his bones to make a mat"! Mrs. Bigg quickly hid Jack in a closet. While hiding, Jack saw a goose lay a golden egg. Mr. Bigg fell asleep and Mrs. Bigg did not object when Jack took the goose and headed back to his home in fear for his life.

Mrs. Spriggins and Jack were cold and hungry so they spent the gold on food and blankets to keep them warm. Jack went back a second time on April 15 to visit the Giant's wife because he felt bad about taking the goose. Mrs. Bigg invited him in but the Giant came back one more time. The giant said, "Fee, fi, fo, fum, I smell the presence of a fine young man, I'll take him, shake him, until he's flat, and grind his bones to make a mat"! This time, Jack saw a harp made of gold which sang. The harp was known as Melody and she told Jack she was not happy at the Bigg house. The Giant awoke from a sleep and tried to catch and hurt Jack. Jack took Melody and ran down the beanstalk. The Giant followed Jack down the beanstalk. When landing on the ground, Jack, fearing for his life, chopped the beanstalk down. The Giant fell to his death.

Jack turned himself in to the local Marshal and indicated that he chopped down a beanstalk to save his life from an angry Giant. Jack was arrested for (1) theft of the golden goose; (2) trespassing on the Bigg's property; (3) kidnaping Melody the Harp; and (3) murder of the Giant.

**OTHER FACTS IN THE CASE WHICH MIGHT
EITHER HELP THE GOVERNMENT OR HELP JACK:**

- The arresting Marshal found Mr. Bigg where Jack said he would be and the Marshal found the goose who laid golden eggs in Jack's house as well as Melody the harp.
- Pinto told Jack that the beans would get everything that he and his mom would ever need. Pinto sold the cow the next day for a very large profit.
- Mrs. Bigg thought that her husband might kill Jack. She also encouraged Jack to take something that might help him and his mom.
- When Jack came back the second time, Mrs. Bigg welcomed him. She didn't call the police on account of the stolen goose and golden eggs, and asked Jack into her house. She again hid Jack from Mr. Bigg.
- Melody the harp told Jack that she wished for a better life because Mr. Bigg never gave her new golden strings and didn't like her magical music. Melody indicated that she hated living in the Giant's house. Melody was with Jack in the closet when Mr. Bigg said "fe, fi, fo, fum., ...(threatening Jack). Melody didn't call for help or tell Mr. Bigg.
- Melody and Mrs. Bigg experienced Mr. Biggs' very bad temper and saw him hurt other people.
- Mrs. Spriggins encouraged Jack to go back up the beanstalk.
- Jack was afraid that the Giant would kill him.
- Jack was trying to save his mother's life as well when he chopped down the beanstalk.

DESCRIPTION OF THE DUTIES AND ROLES OF THE ACTORS IN THE MOCK TRIAL

ACTORS IN THIS COURT PLAY: The teacher should find volunteers for the following parts: Jack Spriggins, Mrs. Spriggins, Melody the Harp, a Marshal, Pinto, Good Friend, two or three government attorneys, two or three defense witnesses, a judge, a courtroom deputy, and a bailiff. The rest of the class will be the jury. For the attorney parts, the class members should divide the questions they will ask the witnesses.

JUDGE: This is the person who acts as the referee of the trial; decides what happens in the courtroom next (see outline below); and decides arguments between the attorneys. The Judge is considered an impartial participant. In other words, the judge doesn't take sides. The Judge's duties and an outline for the trial is shown below:

GENERAL OUTLINE FOR TRIAL WHICH THE JUDGE FOLLOWS:

1. Bailiff opens court and then Judge welcomes everyone.
2. Judge tells jury what case is about (reads the facts of case).
3. Judge asks jurors if they can be fair in reaching a decision.
4. Judge asks Courtroom Deputy to swear-in the jury.
5. Judge asks for opening statement of prosecutor (government).
6. Judge asks for opening statement of defense.
7. Judge asks government to call witnesses; Judge asks defense if they want to cross examine the government witnesses.
8. Judge asks the defense if they have witnesses; Judge asks government if they want to cross examine the defense witnesses.
9. Judge asks government for closing statement (summarize why you think Jack is guilty. What did you prove?)
10. Judge asks Defense for closing statement (summarize why you think that Jack is not-guilty and should go free. What did you prove?)
11. Jurors Deliberate - vote whether Jack Spriggins is guilty or not guilty.

COURTROOM DEPUTY: The court employee who takes down a summary of court decisions, takes care of exhibits, and swears-in all witnesses and the jury. The witness oath is: "Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

Before the start of trial and when the jury deliberates, (considers the facts of the case and discusses the guilt or innocence of the defendant) the courtroom deputy swears-in the jury by saying: "Do each of you swear to render a truthful verdict (the decision of the jury - guilty or not-guilty) in this case to the best of your ability considering only the facts of this case?"

BAILIFF: The bailiff is an employee of the court that opens court and introduces the judge to everyone in the courtroom.

Court Opening: “All rise. Hear ye, hear ye, hear ye! The United States District Court for the District of Idaho is now in session. The Honorable Judge _____ is presiding (to guide or direct a meeting, or event)

When court is finished and the jurors are leaving the courtroom to deliberate:

“All rise. The Court is now in recess.”

When the jury returns:: “All rise. The Court is now back in session”

After the trial: “All rise. This session of the court is now concluded. God bless this honorable court and the United States of America”

JURORS: The jurors listen to all the evidence presented and tell the judge what they think about the case. Sometimes they take notes and may ask questions. In a criminal case, the jurors decide if the defendant is guilty of one or more of the crimes charged, not guilty of one or more of the crimes charged, or they can agree that they can not come to a unanimous (all in agreement) decision.

At the beginning of the jury deliberations, they will elect a foreperson who will act as the leader of the discussions. The foreperson is also the person who stands up in court and tells the judge that the jurors have reached a verdict. The jurors use the verdict form.

GOVERNMENT ATTORNEYS - the persons for the government who are trying to prove that Jack is guilty of the crime. The government attorneys are known as the prosecution because they represent the interests of the public by prosecuting criminal behavior.

In the jury trial, the prosecution begins to present its case by each government attorney presenting an opening statement. An opening statement is a short explanation of why they think that Jack broke the law, what crimes it is that allegedly (an act or event that has not yet been proven) were committed, and how they are going to prove their case.

DEFENSE ATTORNEYS HELPING JACK - The attorneys for the accused are known as defense attorneys because they defend the rights of the defendant who is being accused of a crime. In the jury trial, after the Prosecution presents its opening statement, the defense attorneys also get to stand up and give a short explanation of why they think that Jack is not guilty of the crimes charged.

WITNESSES The prosecution calls their witnesses first and then the defense will call their witnesses. After each witness is called and examined, the opposite side is allowed to ask questions. This is called cross examination. Witnesses can be experts, or witnesses who know some facts about the case. The victims and the defendant may also testify. The witnesses may include the Jack, Mrs. Spriggins, Melody the Harp, Mrs. Bigg, Good Friend, Pinto and the Marshal.

START OF THE TRIAL AND THE GOVERNMENT'S CASE

The government attorneys are known as the prosecution, or prosecutors, because they represent the interests of the public by prosecuting criminal behavior. In the Jury trial, the Prosecution begins to present its case by each government attorney presenting an Opening Statement. An opening statement is a short explanation of why they think Jack broke the law, what crimes it is that he is alleged (accused but not yet proven) to have committed, and how they are going to prove it. After both sides have given their opening statement, the prosecution calls their witnesses.

Order of Government Witnesses:

1.. Pinto Student playing Pinto _____

A. Possible Government Attorney questions for Pinto:

- What do you do for a living Mr./Mrs.Pinto?
- Did you indicate that you would trade your beans for Jack's cow?
- Did Jack willingly make this trade?

B. After each witness has presented their evidence, the Defense has an opportunity to ask questions of the witness that may assist Jack. Some possible cross examination questions for Mr./Mrs. Pinto:

- Didn't you tell Jack that these beans were wild and magical?
- What is the value of the beans compared to the value of the cow?
- Don't you think you took advantage of a young kid?
- Didn't you sell the cow the next day for 4 times what it is worth?

2. The Marshal: Student playing Marshal _____

A. Possible government attorney questions for the Marshal:

- What happened on April 1st?
- Did Jack tell you what he did?
- Do you find Jack's ax next to the beanstalk?
- Can you identify Jack in the courtroom?
- What did you find when you went to the beanstalk?
- What did you find when you went into Jack's house?
- Were the Harp and Goose and golden eggs the property of Jack?
- Was Jack scared?

B. Possible Defense attorney questions for the Marshal:

- Did Jack deny the fact that he cut down the beanstalk?
- Did Jack deny that he took the goose who laid golden eggs?
- Did Jack deny that he took Melody the Harp?
- In your experience, when someone is truthful, what does that tell you about a person?
- Didn't Jack tell you everything that you wanted to know?
- Did Jack try to hide any facts from you?
- Didn't Jack say that he was afraid for his life so he cut down the beanstalk?

3. Mrs. Bigg Student playing Mrs. Bigg: _____

A. Possible Government Attorney questions for Mrs. Bigg:

- Please state your name for your record
- Did the defendant, enter your home on April 1st?
- Did you see Jack take the goose who laid golden eggs?
- Did the defendant, Jack, come back to your house?
- When was that?
- Tell us what Jack did on the second visit.
- Did Jack take Melody the Harp?
- Did you hear someone cutting down the beanstalk?

B. Possible Defense Attorney cross examination questions for Mrs. Bigg:

- Isn't it true that you invited Jack into your house on April 1st?
- Didn't you feel sorry for Jack because he was poor and hungry?
- Did you cook him a meal?
- Didn't you think that Jack and his mom could use some extra money?
- Did Jack hide from your husband?
- Isn't it true that you told Jack to hide in the closet?
- Why did he hide?
- Did you wake your husband and tell him that Jack took the goose who laid golden eggs?
- Did you call the police when Jack took the goose?
- When Jack came back a second time on April 15th, did you call the police?
- Didn't you let him in again?
- On this second visit, didn't you see Jack and Melody talking?
- When your husband came back on April 15th, didn't you hide Jack in the closet?
- Didn't your husband threaten to kill Jack?
- Didn't you see your husband chase Jack all the way to the beanstalk?
- Were you afraid of Mr. Bigg's temper?

4. Melody the Harp Student Playing Melody_____

A. Possible questions by the Government for Melody:

- State your name and occupation for the record?
- Where you in Mr. Bigg's house on April 15th?
- Was the defendant Jack in your house on that date?
- What happened?
- Did Jack take you from the Bigg house and down the beanstalk?

B. Possible cross examination questions by the Defense for Melody:

- Didn't you meet Jack when he was hiding in the closet?
- Why do you think Jack was hiding?
- Wasn't Mr. Bigg very cruel to you?
- Didn't Mr. Bigg threaten to take away your golden strings?
- You asked Jack for help, didn't you?
- Didn't you tell Jack that you didn't want to live with Mr. Bigg anymore?
- Didn't you ask Jack to help you escape from the Biggs?

DEFENDANT'S CASE

The attorney for the accused is known as a defense attorney because they defend the rights of the defendant who is being accused of a crime. In the Jury trial, the Defense begins to present its case by each defense attorney making an Opening Statement. The Defense can make their opening statement at the beginning of the case or wait until the defense witnesses begin. This statement should be a short explanation of why they believe the jury should find that Jack is innocent or did not break the law.

Order of Defense Witnesses

1. Mrs. Spriggins Student playing Mrs. Spriggins_____

A. Possible questions by the Defense for Mrs. Spriggins:

- State you name and where you live
- Are you Jack Spriggins' mom?
- How would you describe your son?
- Did your son help you all the time?
- Did you tell Jack to sell your cow so that you would have enough to eat?
- Should you have trusted young Jack to sell the cow at such a young age?

B. Possible cross examination questions by the Government for Mrs. Spriggins:

- Did you tell Jack to trade the cow for beans?
- Didn't Jack disobey you when he traded the cow?
- When Jack returned with the goose and golden eggs, did you ask him where they came from?
- Did you ask if the golden eggs were stolen?
- Did you buy food with the golden eggs?

2. Good Friend , character witness Student playing Friend: _____

A. Possible questions by the Defense attorneys for Jack's friend:

- How long have you known Jack?
- Is he usually an honest, trustworthy person?
- Explain Jack's hard work in the boy scouts.
- Isn't it true that Jack is a straight "A" student?
- Have you known Jack to ever break the law before?

B. Possible questions by the Government Attorneys for Good Friend:

- Does Jack have a temper?
- Did Jack tell you anything about the goose?
- If Jack is so honest, why did he steal the goose?

3. Jack Spriggins Student playing Jack Spriggins: _____

A. Possible questions by the Defense Attorney(s) for Jack:

- Why did you trade the cow for the magical beans?
- Why did you climb the beanstalk on April 1st?
- Did you enter into the Bigg's house without the permission of Mrs. Bigg?
- Tell the jury in your own words why you took the goose.
- Didn't Mrs. Biggs indicate that you could help yourself?
- Did Mrs. Bigg hide you when you heard the angry giant?
- Were you afraid that the Giant would kill you?
- When you went to the house the second time on April 15th, did Melody Harp ask for your help?
- Didn't Ms. Harp indicate that she wanted help leaving the Bigg's house?
- What did the Giant say when he found you in the house?
- Did the Giant threaten to kill you?
- What did you do to save your life?
- Were you afraid the Giant would hurt your mother?

B. Possible questions by the Government in cross examining Jack:

- When you came down from the beanstalk the first time, did you bring a goose and golden eggs?
- Did you spend the money you got from the golden eggs?
- If you had all the golden eggs, why did you go back up the beanstalk?
- When you came down the beanstalk the second time, did you bring Melody the Harp with you?
- If you were afraid of Mr. Bigg, why did you go back up the beanstalk?
- Did you cut down the beanstalk which resulted in the death of Mr. Bigg.

VERDICT FORM

THE KINGDOM

vs.

JACK SPRIGGINS

NOTE: Jurors can only consider the facts that were presented in the case.

We the jurors in the above entitled action, find that:

☐ Jack is guilty of:

- ☐ Theft of the goose and golden eggs
- ☐ Trespassing onto the property of the Biggs
- ☐ Kidnaping of Melody the Harp
- ☐ Murder of the Giant

☐ Jack is not guilty of:

- ☐ Theft of the goose and golden eggs
- ☐ Trespassing onto the property of the Biggs
- ☐ Kidnaping of Melody the Harp
- ☐ Murder of the Giant
- ☐ Jack is not guilty of the murder of the Giant because he thought the Giant was going to kill him

☐ We the jury, cannot reach a verdict that everyone agrees with.

Dated this _____ day of _____, 2000

Signed, Jury Foreperson _____